

# **Exhibit A**

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

-against-

ROBERT J. MUELLER, DEEPROOT FUNDS  
LLC (a/k/a dprt Funds, LLC), AND POLICY  
SERVICES INC.,

Defendants,

-and-

DEEPROOT TECH LLC, DEEPROOT  
PINBALL LLC, DEEPROOT STUDIOS LLC,  
DEEPROOT SPORTS & ENTERTAINMENT  
LLC, DEEPROOT RE 12621 SILICON DR LLC,  
AND ROBERT J. MUELLER, JEFFREY L.  
MUELLER, AND BELINDA G. BREEN, AS CO-  
TRUSTEES OF THE MB HALE OHANA  
REVOCABLE TRUST,

Relief Defendants.

Civil Action No.: 5:21-cv-785-XR

**DEFENDANT ROBERT J. MUELLER'S**  
**RULE 26(a)(3) PRETRIAL DISCLOSURES**

TO THE HONORABLE COURT:

Pursuant to Fed. R. Civ. P. 26(a)(3) and the Court's August 1, 2023 Fifth Amended Scheduling Order, Defendant Robert J. Mueller submits the following pretrial disclosures:

**I. WITNESSES**

Mueller hereby submits the following list of witnesses that he reasonably expects to call or may call at trial. Mueller reserves the right to modify, amend or supplement this list at any time

prior to trial. Mueller further reserves the right to withdraw any of the following witnesses and to offer additional witnesses as necessary for rebuttal or impeachment.

| Name   | Contact Information  | Expects to Call | May Call | Live or By Depo |
|--|--|-----------------|----------|-----------------|
| Lauren R. “Becca” Adams                          | 12019 Treewell Glen<br>San Antonio, TX 78249<br>(843) 903-2854<br>(717) 818-0307   |                 | X        | Live            |
| Scott L. Allen                                   | c/o William Marsh, Esq.<br>Haynes and Boone, LLP<br>2323 Victory Avenue, Suite 700<br>Dallas, TX 75219-7672<br>(214) 651-5031  | X               |          | Both            |
| Eric Dandridge                                   | 120 Rocky Path<br>Boerne, TX 78006<br>(918) 277-1130/1132  | X               |          | Depo            |
| Cary Mueller                                     | c/o Gordon C. Young, Esq.<br>Barr & Young Attorneys<br>318-C Diablo Road<br>Danville, CA 94526<br>(925) 314-9999, ext. 302   |                 | X        | Live            |
| Nathan Spradlin                                  | c/o Andrew R. Shedlock, Esq.<br>Kutak Rock LLP<br>60 South Sixth Street, Suite 3400<br>Minneapolis, MN 55402<br>(612) 334-5022   | X               |          | Depo            |
| Charlotte Acker                                  | 2313 Brittany Grace<br>New Braunfels, Texas 78130-8937<br><a href="mailto:Charlotteacker54@gmail.com">Charlotteacker54@gmail.com</a><br>(325) 388-8460<br>(210) 862-9622 |                 | X        | Live            |
| Ken Abramson<br>Abramson<br>Accountancy Corp.    | 23901 Calabasas Road, Suite 1072<br>Calabasas, California 91302<br>(818) 918-4500  | X               |          | Depo            |
| Chris Williams<br>Williams Steinert<br>Mask, LLP | 1100 NE Interstate 410 Loop, Suite 350<br>San Antonio, Texas 78209<br>(210) 684-1071   |                 | X        | Live            |
| Robert Mueller                                   | c/o Jason Davis<br>Davis & Santos, PLLC<br>719 S. Flores St.<br>San Antonio, Texas 78204<br>210-853-5882   | X               |          | Both            |
| Phillip Forret                                   | 600 N. Pearl St., Suite 1700   |                 | X        | Live            |

| <b>Name</b>                             | <b>Contact Information</b>  | <b>Expects to Call</b> | <b>May Call</b> | <b>Live or By Depo</b> |
|---|---|------------------------|-----------------|------------------------|
| BDO USA, LLP                            | Dallas, Texas 75201   |                        |                 |                        |
| Pat Lowe                                | c/o Randy Pulman<br>PULMAN, CAPUCCIO & PULLEN, LLP<br>2161 NW Military Highway, Suite 400<br>San Antonio, Texas 78213<br>(210) 222-9494 |                        | X               | Live                   |
| Jeffrey L. Mueller                      | c/o Edward Snyder<br>CASTILLO SNYDER, PC<br>One Riverwalk Place<br>700 N. St. Mary's, Suite 1560<br>San Antonio, Texas 78205            |                        | X               | Live                   |
| Belinda G. Breen                        | c/o Edward Snyder<br>CASTILLO SNYDER, PC<br>One Riverwalk Place<br>700 N. St. Mary's, Suite 1560<br>San Antonio, Texas 78205            |                        | X               | Live                   |
| Sean Gibson                             | 3055 Nantucket Dr.<br>San Antonio, Texas 78230<br>(210) 834-1316  |                        | X               | Live                   |
| Chris Turner<br>Turner Logic            | 215 West Bandera Road, Ste. 114-814<br>Boerne, Texas 78006<br>(210) 901-9955  |                        | X               | Live                   |
| Joshua Garcia                           |   |                        | X               | Live                   |
| James C. Aguilera,<br>CPA               | 9519 Gloxinia Dr<br>Garden Ridge, Texas 78266-2536  |                        | X               | Live                   |
| Dennis Concilla                         | CARLILE PATCHEN MURPHY, LLP<br>950 Goodale Blvd., Suite 200<br>Columbus, Ohio 43212<br>(614) 228-6135                                   | X                      |                 | Both                   |
| Andrew Federico                         | CARLILE PATCHEN MURPHY, LLP<br>950 Goodale Blvd., Suite 200<br>Columbus, Ohio 43212<br>(614) 228-6135                                   | X                      |                 | Both                   |
| Craig Rushforth<br>PharmaLogic          | 4077 Commerce Circle<br>Idaho Falls, Idaho 83401  | X                      |                 | Depo                   |
| Jason Rudd                              | WICK PHILLIPS<br>3131 McKinney Avenue, Suite 500<br>Dallas, Texas 75204<br>(214) 692-6200   |                        | X               | Live                   |
| Steven Bowden<br>American Pinball, Inc. | 5434 Sunlit Brk<br>San Antonio, Texas 78240-2453  |                        | X               | Live                   |
| Quinn Johnson                           | 2503 Jackson Keller Rd., Apt 1321<br>San Antonio, Texas 78230-5257  |                        | X               | Live                   |

## II. WITNESSES BY DEPOSITION

Mueller hereby submits the following page:line designations of deposition testimony for those witnesses that he expects to or may call at trial by deposition. Mueller further reserves the right to withdraw any of the following designations and to offer additional designations as necessary for rebuttal or impeachment.

### 1. Eric Dandridge

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| 9:13-9:16   |
| 11:2-11:12  |
| 11:13-12:6  |
| 12:10-12:19 |
| 12:20-13:20 |
| 13:21-15:15 |
| 15:16-16:4  |
| 16:5-16:17  |
| 17:2-17:16  |
| 18:20-18:24 |
| 18:25-19:8  |
| 19:9-19:23  |
| 21:19-22:6  |
| 22:22-23:3  |
| 23:16-23:22 |
| 24:19-24:22 |
| 25:5-25:11  |
| 27:9-28:7   |
| 28:8-28:15  |
| 29:22-30:4  |
| 32:7-32:21  |
| 32:23-33:7  |
| 34:9-34:11  |
| 37:18-37:23 |
| 38:18-38:24 |
| 38:25-39:6  |
| 39:7-39:22  |
| 40:9-41:13  |
| 42:12-42:15 |
| 42:16-43:7  |
| 43:14-44:5  |

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| 44:6-44:25    |
| 45:9-46:6     |
| 51:21-52:24   |
| 53:24-54:13   |
| 54:19-55:1    |
| 56:6-57:2     |
| 60:6-60:17    |
| 60:22-61:5    |
| 65:10-66:7    |
| 66:15-66:22   |
| 67:23-68:1    |
| 68:18-68:21   |
| 70:22-71:23   |
| 75:9-75:11    |
| 84:9-84:25    |
| 85:1-85:25    |
| 87:4-87:15    |
| 87:21-88:1    |
| 88:2-88:7     |
| 88:23-89:6    |
| 89:24-90:12   |
| 90:13-90:24   |
| 90:25-91:9    |
| 91:10-91:12   |
| 91:15-91:25   |
| 92:17-93:1    |
| 93:24-94:10   |
| 94:11-95:12   |
| 95:13-96:5    |
| 96:8-96:23    |
| 96:24-97:5    |
| 97:6-97:12    |
| 98:7-98:14    |
| 99:21-100:1   |
| 100:2-100:13  |
| 100:14-101:10 |
| 101:12-101:20 |
| 102:2-104:13  |
| 104:14-105:21 |
| 106:17-107:4  |
| 107:5-107:12  |

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| 108:4-108:13  |
| 108:14-109:1  |
| 109:2-109:16  |
| 109:17-110:20 |
| 110:21-112:1  |
| 112:2-112:13  |
| 114:10-116:19 |
| 117:7-117:14  |
| 118:2-118:18  |
| 118:19-119:12 |
| 126:17-127:8  |

## 2. Scott Allen

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| 7:3-7:5     |
| 9:6-10:4    |
| 10:13-11:10 |
| 12:4-12:20  |
| 13:1-14:9   |
| 14:10-14:25 |
| 15:20-15:25 |
| 16:1-16:15  |
| 16:16-16:21 |
| 16:23-17:6  |
| 17:8-17:15  |
| 17:23-18:2  |
| 18:4-18:20  |
| 18:22-19:3  |
| 19:9-19:15  |
| 20:4-20:15  |
| 22:16-23:14 |
| 28:8-29:3   |
| 30:2-30:4   |
| 31:9-31:24  |
| 32:1-32:4   |
| 33:5-33:25  |
| 34:1-34:9   |
| 34:20-35:21 |
| 35:23-36:6  |
| 36:13-37:25 |
| 38:1-38:25  |

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| 39:1-39:18  |
| 40:2-40:5   |
| 40:23-41:4  |
| 41:6-42:13  |
| 42:15-42:21 |
| 43:3-43:8   |
| 43:10-43:18 |
| 43:20-44:16 |
| 44:20-45:20 |
| 46:1-47:3   |
| 47:4-47:11  |
| 47:15-48:17 |
| 48:18-49:8  |
| 50:11-51:1  |
| 51:11-52:1  |
| 53:23-54:23 |
| 57:5-57:8   |
| 57:10-57:24 |
| 57:25-59:6  |
| 59:23-60:3  |
| 61:1-61:10  |
| 61:11-61:24 |
| 63:5-63:8   |
| 63:10-64:11 |
| 64:21-65:19 |
| 67:1-67:17  |
| 67:19-68:11 |
| 68:13-68:24 |
| 69:15-70:18 |
| 70:20-72:1  |
| 72:13-72:20 |
| 76:1-76:5   |
| 76:19-77:5  |
| 77:9-77:15  |
| 77:23-78:5  |
| 78:15-79:8  |
| 79:9-79:20  |
| 80:13-81:4  |
| 81:12-82:1  |
| 82:3-82:21  |
| 82:22-84:2  |



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| 84:4-84:15    |
| 85:15-86:2    |
| 87:7-87:14    |
| 87:16-88:6    |
| 88:7-88:20    |
| 90:21-91:1    |
| 91:3-93:8     |
| 93:14-94:10   |
| 95:19-96:13   |
| 96:15-96:21   |
| 97:12-97:22   |
| 98:2-98:14    |
| 98:15-99:3    |
| 99:15-100:9   |
| 100:22-101:12 |
| 101:23-101:25 |
| 102:1-102:13  |
| 103:15-104:25 |
| 105:2-105:17  |
| 105:18-107:4  |
| 107:5-107:16  |
| 107:17-108:2  |
| 108:3-108:12  |
| 108:13-109:7  |
| 109:21-110:3  |
| 111:11-112:3  |
| 112:21-113:5  |
| 114:18-114:25 |
| 115:6-115:25  |
| 117:8-117:18  |
| 118:7-118:22  |
| 118:24-119:3  |
| 120:15-121:14 |
| 122:6-122:9   |
| 122:12-124:23 |
| 125:13-126:13 |
| 126:14-126:23 |
| 126:25-127:24 |
| 128:1-128:23  |
| 129:4-129:14  |
| 129:19-130:22 |

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| 130:24-131:7                   |
| 131:17-133:1                   |
| 133:16-135:15                  |
| 137:5-137:11                   |
| 138:14-140:14                  |
| 140:16-141:2                   |
| 141:6-141:23                   |
| 141:25-143:9                   |
| 144:7-144:16                   |
| 144:17-145:3                   |
| 145:5-145:23                   |
| 146:6-146:20                   |
| 147:7-150:1                    |
| 151:24-152:11                  |
| 152:14-154:8                   |
| 154:10-154:16                  |
| 156:1-156:12                   |
| 156:14-157:5 ending after Yes. |
| 157:14-158:1                   |
| 158:3-158:16                   |
| 158:18-158:25                  |
| 159:13-159:19                  |
| 161:20-162:13                  |
| 162:14-162:20                  |
| 162:22-163:14                  |
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| 165:5-165:16                   |
| 165:17-166:14                  |
| 166:21-167:24                  |
| 170:22-171:10                  |
| 171:12-172:6                   |
| 172:7-172:17                   |
| 172:25-173:11                  |
| 178:4-178:11                   |
| 179:6-179:9                    |
| 179:13-179:22                  |
| 180:7-182:15                   |
| 186:21-189:7                   |
| 189:8-189:22                   |
| 189:24-190:23                  |

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| 190:24-191:19 |
| 191:20-192:11 |
| 192:13-194:1  |
| 194:2-194:8   |
| 201:10-202:4  |
| 204:14-204:23 |
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| 208:20-209:1  |
| 219:4-220:1   |
| 220:3-220:21  |
| 229:3-230:1   |
| 239:15-240:16 |
| 250:19-251:10 |
| 253:22-254:23 |
| 257:1-257:12  |
| 257:13-257:23 |
| 258:15-259:4  |
| 259:5-260:2   |

### 3. Nathan Spradlin

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| 7:23-8:1    |
| 8:25-9:22   |
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| 10:15-12:25 |
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| 17:11-18:12 |
| 18:13-19:8  |
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| 20:2-22:3   |
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| 23:1-23:24  |
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| 25:20-26:25 |
| 27:1-27:17  |
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| 30:4-30:10  |
| 30:11-30:23 |

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| 31:3-31:15  |
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| 33:18-35:9  |
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| 41:3-42:2   |
| 42:15-43:18 |
| 45:12-45:23 |
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| 47:4-47:21  |
| 48:17-49:18 |
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| 52:2-52:25  |
| 53:1-54:6   |
| 54:16-56:3  |
| 56:4-56:19  |
| 59:14-60:4  |
| 60:15-60:18 |
| 61:12-63:2  |
| 64:5-65:2   |
| 65:3-65:19  |
| 66:6-66:21  |
| 67:5-68:12  |
| 69:10-69:17 |
| 69:18-70:12 |
| 71:4-71:24  |
| 72:22-73:13 |
| 73:14-74:21 |
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| 78:17-79:25 |
| 81:17-82:14 |
| 84:21-85:3  |
| 85:4-86:1   |
| 86:2-86:22  |
| 87:16-88:14 |
| 89:4-89:20  |
| 89:21-90:25 |
| 91:6-92:1   |
| 92:2-92:12  |

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| 92:13-93:4    |
| 93:5-93:16    |
| 93:17-94:16   |
| 94:22-95:3    |
| 95:20-96:3    |
| 96:25-97:6    |
| 98:14-101:3   |
| 101:4-102:13  |
| 102:14-103:3  |
| 103:4-103:22  |
| 104:4-109:8   |
| 110:11-111:16 |
| 113:10-113:16 |
| 117:21-118:5  |
| 121:16-123:13 |
| 123:14-123:23 |
| 123:24-125:11 |
| 125:12-126:18 |
| 127:1-127:13  |
| 127:14-128:4  |
| 128:5-128:14  |
| 129:13-129:23 |
| 129:24-130:20 |
| 130:21-132:5  |
| 133:20-135:3  |
| 135:4-136:25  |
| 137:1-137:21  |
| 138:17-138:21 |
| 139:12-139:17 |
| 139:18-141:15 |
| 141:16-141:23 |
| 141:24-143:11 |
| 143:12-143:20 |
| 147:24-148:5  |
| 153:23-155:2  |
| 162:12-163:3  |
| 165:14-167:7  |
| 167:8-167:22  |
| 167:23-168:15 |
| 168:16-169:5  |
| 169:6-170:17  |

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| 170:18-171:15 |
| 171:16-171:23 |
| 171:24-173:2  |
| 173:7-173:25  |
| 174:10-175:3  |
| 175:4-177:23  |
| 178:5-178:25  |
| 179:1-179:16  |
| 179:22-180:15 |
| 180:16-181:3  |
| 181:4-181:25  |
| 182:13-184:7  |
| 184:8-185:9   |
| 185:10-186:10 |
| 186:11-187:11 |
| 187:21-188:4  |
| 188:5-188:25  |
| 189:1-189:5   |
| 189:9-189:21  |
| 189:22-190:10 |
| 190:11-190:23 |
| 191:12-191:22 |
| 191:23-191:25 |
| 195:6-196:9   |
| 196:10-197:4  |
| 197:5-198:12  |
| 198:13-199:15 |
| 199:16-200:4  |
| 200:5-201:1   |
| 201:9-203:13  |
| 203:14-205:17 |
| 205:18-206:5  |
| 206:6-206:25  |
| 207:9-208:10  |
| 208:11-208:21 |
| 208:22-209:7  |
| 209:16-211:1  |
| 213:5-214:11  |
| 217:21-217:25 |
| 221:7-221:14  |
| 221:25-222:8  |

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| 227:22-229:5  |
| 229:16-230:11 |
| 232:7-232:13  |
| 237:10-237:22 |
| 237:23-238:16 |
| 239:4-239:15  |
| 258:6-258:14  |
| 259:15-260:3  |
| 260:12-260:22 |
| 261:6-261:24  |
| 262:3-262:15  |
| 263:8-264:2   |
| 264:3-264:18  |
| 264:19-265:3  |
| 273:25-274:8  |
| 276:13-277:14 |
| 278:13-278:23 |
| 278:24-279:14 |
| 282:3-282:23  |
| 284:13-284:25 |

#### 4. Ken Abramson

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|-------------|
| 6:4-6:5     |
| 8:15-9:14   |
| 9:15-16:15  |
| 18:15-19:18 |
| 19:19-21:5  |
| 21:18-23:2  |
| 24:11-25:12 |
| 25:13-25:18 |
| 26:18-26:21 |
| 32:5-32:16  |
| 32:17-33:4  |
| 35:13-36:3  |
| 38:1-38:7   |
| 38:15-38:25 |
| 39:7-39:12  |
| 41:5-41:24  |
| 41:25-42:14 |
| 43:20-44:6  |

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| 45:7-45:14    |
| 45:21-45:24   |
| 46:7-47:10    |
| 47:14-48:15   |
| 48:16-48:22   |
| 50:15-50:25   |
| 53:6-54:10    |
| 54:22-55:1    |
| 58:4-59:19    |
| 59:20-60:14   |
| 60:15-61:5    |
| 61:6-61:18    |
| 65:9-66:1     |
| 66:2-66:25    |
| 68:1-68:5     |
| 71:13-72:12   |
| 75:1-75:22    |
| 77:6-77:16    |
| 80:11-81:13   |
| 85:25-86:10   |
| 88:11-88:21   |
| 89:1-89:10    |
| 97:2-98:23    |
| 99:8-100:15   |
| 100:16-102:1  |
| 102:2-105:25  |
| 103:21-103:23 |
| 107:5-108:14  |
| 108:21-110:11 |
| 110:13-110:25 |
| 111:1-111:5   |
| 111:7-112:2   |
| 112:11-114:7  |
| 114:10-114:23 |
| 116:2-117:9   |
| 117:10-121:18 |
| 122:9-129:4   |
| 130:24-132:24 |
| 133:22-134:16 |
| 135:4-135:11  |
| 135:22-136:6  |



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| 136:7-136:13  |
| 138:16-139:15 |
| 139:16-140:17 |
| 141:9-144:1   |
| 145:20-146:7  |
| 147:21-148:18 |
| 148:23-149:1  |
| 182:19-183:10 |
| 184:7-184:24  |
| 195:17-196:12 |
| 196:18-197:10 |
| 203:19-204:10 |
| 204:11-204:19 |
| 204:20-205:1  |
| 205:2-205:6   |
| 205:7-206:13  |

## 5. Craig Rushforth

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| 6:4-6:10    |
| 8:14-12:25  |
| 13:1-13:23  |
| 13:24-14:9  |
| 14:10-15:14 |
| 15:15-17:2  |
| 17:10-18:25 |
| 19:1-19:19  |
| 19:20-20:3  |
| 20:4-20:8   |
| 20:9-23:11  |
| 23:12-23:21 |
| 24:11-24:24 |
| 25:7-25:17  |
| 26:3-26:23  |
| 26:24-28:19 |
| 28:25-30:1  |
| 30:2-32:10  |
| 32:11-33:23 |
| 33:24-36:14 |
| 36:15-37:15 |
| 37:16-38:4  |

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| 38:5-38:22  |
| 38:23-39:5  |
| 39:6-41:10  |
| 41:11-41:14 |
| 41:22-42:17 |
| 42:18-43:10 |
| 43:11-44:4  |
| 44:5-44:8   |
| 45:11-46:18 |
| 46:19-47:10 |
| 47:12-51:15 |
| 51:16-52:7  |
| 52:8-53:2   |
| 53:3-56:4   |
| 56:5-57:1   |
| 57:3-57:25  |
| 58:1-59:19  |
| 60:1-60:16  |
| 60:17-61:7  |
| 61:8-63:4   |
| 63:5-64:16  |
| 64:17-68:22 |
| 68:23-69:15 |
| 69:16-70:6  |
| 70:21-72:18 |
| 72:19-74:4  |
| 74:5-75:3   |
| 75:4-76:6   |
| 76:7-77:22  |
| 77:23-79:7  |
| 79:12-80:14 |
| 80:15-81:1  |
| 81:20-82:17 |
| 82:23-84:22 |
| 85:8-85:15  |
| 85:16-86:15 |
| 86:16-89:10 |
| 89:11-89:18 |
| 89:19-90:18 |
| 90:19-91:17 |
| 91:18-92:7  |

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| 92:12-92:17   |
| 93:3-97:2     |
| 97:3-97:12    |
| 97:15-97:21   |
| 98:2-99:22    |
| 100:5-100:17  |
| 101:1-102:20  |
| 102:21-105:14 |
| 105:15-108:13 |
| 108:14-109:17 |
| 109:18-110:19 |
| 110:20-112:17 |
| 112:18-116:7  |
| 116:8-117:11  |
| 117:12-120:9  |
| 120:10-123:8  |
| 123:9-125:14  |
| 125:15-126:16 |
| 126:17-128:11 |
| 128:12-131:1  |
| 131:15-132:10 |
| 132:24-134:2  |
| 135:7-135:13  |
| 138:19-139:15 |
| 139:16-140:18 |
| 140:19-141:4  |
| 172:15-172:23 |
| 173:19-174:4  |
| 178:22-180:5  |
| 183:25-185:11 |
| 185:22-186:2  |
| 186:15-187:5  |
| 187:6-190:13  |
| 190:14-192:25 |

## 6. Dennis Concilla

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| 8:12-8:24  |
| 10:13-14:8 |
| 20:5-20:13 |
| 20:14-21:2 |

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| 28:11-31:17   |
| 32:1-32:13    |
| 32:22-33:5    |
| 33:23-34:17   |
| 36:13-37:6    |
| 37:17-38:3    |
| 38:4-38:21    |
| 40:18-42:13   |
| 43:5-43:23    |
| 44:6-45:18    |
| 46:2-46:22    |
| 46:23-48:11   |
| 48:12-52:23   |
| 65:2-65:9     |
| 76:10-77:22   |
| 80:12-81:11   |
| 83:14-84:13   |
| 84:14-84:23   |
| 99:16-100:19  |
| 100:24-101:1  |
| 124:17-125:2  |
| 134:16-135:19 |
| 148:2-148:17  |
| 149:12-150:3  |
| 152:3-152:15  |
| 167:18-167:22 |
| 169:16-169:19 |
| 174:2-174:15  |
| 176:9-176:13  |
| 187:12-188:20 |
| 190:14-191:14 |
| 192:14-193:21 |
| 193:22-194:13 |
| 195:9-195:14  |
| 196:6-196:14  |
| 203:21-204:9  |
| 205:15-207:3  |
| 209:24-211:10 |
| 212:2-212:16  |
| 213:5-214:10  |
| 215:10-218:6  |

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| 218:7-219:19  |
| 220:8-220:15  |
| 220:19-228:11 |
| 228:15-228:18 |
| 229:20-230:11 |
| 232:3-232:20  |
| 233:8-235:11  |
| 237:24-238:17 |
| 239:18-240:5  |
| 240:6-240:9   |
| 240:10-245:11 |
| 261:19-264:8  |
| 264:9-264:23  |
| 264:24-266:7  |
| 268:25-271:10 |
| 271:11-274:17 |
| 274:18-278:9  |
| 281:6-282:14  |
| 282:15-282:21 |
| 283:17-284:9  |
| 285:4-293:6   |
| 296:23-297:6  |
| 297:21-298:13 |
| 298:15-299:16 |
| 308:7-308:22  |

## 7. Andrew Federico

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| 6:14-6:23   |
| 8:6-9:1     |
| 14:17-15:22 |
| 18:18-19:5  |
| 19:16-20:10 |
| 26:4-26:25  |
| 41:6-41:20  |
| 45:3-45:20  |
| 71:12-72:2  |
| 72:3-72:16  |
| 74:8-75:11  |
| 77:8-78:4   |
| 88:8-88:22  |

97:20-98:6

104:1-105:17

### III. TRIAL EXHIBITS

Mueller hereby submits the following list of exhibits that he reasonably expects to offer and may offer. Mueller reserves the right to withdraw any of the following exhibits and to offer additional exhibits as necessary for rebuttal or impeachment.

| EX. NO. | DESC.   | DATE       | BATES REF.                             | AGD. | OBJ. | ADM. |
|---------|---|------------|--|------|------|------|
| 1.      | Deeproot Presentation   |            | DEEPROOT FUNDS_005713-39 (Depo Ex. 4)  |      |      |      |
| 2.      | Deeproot the575 2019 PPM – Class B Membership Shares                        | 09/16/2019 | SEC-DEEPROOT-E-0164824-41 (Depo Ex. 5) |      |      |      |
| 3.      | Deeproot dGRD 2019 PPM – Class C Membership Shares, last updated 10/24/2019 | 02/26/2018 | SEC-DEEPROOT-E-0152250-68 (Depo Ex. 7) |      |      |      |
| 4.      | Email from Mueller to Dandridge regarding Nov. updates                      | 11/10/2020 | SEC-DEEPROOT-E-0025419-23 (Depo Ex. 8) |      |      |      |
| 5.      | Scott Allen resume  |            | SEC-EMAILS-E-0012926-27 (Depo Ex. 9)   |      |      |      |
| 6.      | the575 Application and Subscription Agreement for John Gray                 | 08/07/2019 | DEEPROOT FUNDS_002274-84 (Depo Ex. 10) |      |      |      |
| 7.      | letter to 575P Investor   | 09/30/2020 | SEC-DEEPROOT-E-0008354 (Depo Ex. 11)   |      |      |      |
| 8.      | Employee Bonus Agreement  | 08/09/2019 | SEC-AllenS-E-000037 (Depo Ex. 12)      |      |      |      |
| 9.      | Big Picture Discussion List   |            | SEC-AllenS-E-0000009-14 (Depo Ex. 13)  |      |      |      |
| 10.     | Scott Allen Memo  | 05/27/2020 | SEC-AllenS-E-0000046-51 (Depo Ex.14)   |      |      |      |

| EX. NO. | DESC.  | DATE       | BATES REF.   | AGD. | OBJ. | ADM. |
|---------|--|------------|--|------|------|------|
| 11.     | Emails between Mueller and Allen regarding Andrew Chernes                                | 10/06/2020 | SEC-DEEPROOT-E-0126910-13 (Depo Ex. 15)                    |      |      |      |
| 12.     | Slack Message from Scott Allen regarding resignation                                     | 10/07/2020 | SA-000014-15 (Depo Ex. 17)                                 |      |      |      |
| 13.     | Memo from Allen to Mueller regarding resignation   | 10/07/2020 | SEC-AllenS-E-0000079-80 (Depo Ex. 18)                      |      |      |      |
| 14.     | Allen resignation letter   | 10/07/2020 | SEC-AllenS-E-000081 (Depo Ex. 22)                          |      |      |      |
| 15.     | Investment Portfolio Narrative 2020.B2   |            | SEC-DEEPROOT-E-0013223-36 (Depo Ex. 25) (MSJR Ex. A-12)    |      |      |      |
| 16.     | Email Concilla to Mueller attaching engagement letter                                    | 04/22/2013 | SEC-PulmanR-E-0000001, 04-05 (Depo Ex. 27 / MSJR Ex. A-11) |      |      |      |
| 17.     | Emails between Mueller, Federico and Concilla regarding PPM                              | 05/12/2015 | MUELLER 002186-88 (Depo Ex. 32)                            |      |      |      |
| 18.     | Emails between Mueller and Concilla regarding policies and blind pool                    |            | MUELLER 002306-09 (Depo Ex 33)                             |      |      |      |
| 19.     | Emails between Mueller and Concilla regarding information needed for BGD5, BRD3 and INC3 | 08/21/2015 | MUELLER 002715-17 (Depo Ex. 35)                            |      |      |      |
| 20.     | September 1, 2015 the575 PPM   | 09/01/2015 | SEC-DEEPROOT-E-0014497-12 (Depo Ex. 36)                    |      |      |      |
| 21.     | Emails between Wik and Mueller re: paper   | 03/20/2017 | SEC-DEEPROOT-E-0210796-808 (Depo Ex. 37)                   |      |      |      |
| 22.     | Investment Allocation Agreement  | 03/23/2017 | SEC-DEEPROOT-E-0213963-66 (Depo Ex 38)                     |      |      |      |
| 23.     | Nathan Spradlin resume   |            | SPRADLIN 00001-02 (Depo Ex. 44)                            |      |      |      |
| 24.     | Email from Cary Mueller to Colleagues regarding the575 applications                      | 02/10/2017 | SEC-DEEPROOT-E-0061786-87 (Depo Ex. 45)                    |      |      |      |

| EX. NO. | DESC.  | DATE       | BATES REF.  | AGD. | OBJ. | ADM. |
|---------|--|------------|---|------|------|------|
| 25.     | Email from Russell Putman to Scott Allen re FactRight deeproot reviews | 10/21/2019 | SEC-DEEPROOT-E-0152501-60 (Depo Ex. 46 / MSJR Ex. A-12) |      |      |      |
| 26.     | Email from Mueller to Russell Putnam re FactRight report               | 10/24/2019 | SEC-FACTRIGHT-E-00004646-88 (Depo Ex. 47)               |      |      |      |
| 27.     | Email from Spradlin to Blaine McLaughlin re Folio platform             | 09/24/2018 | SEC-DEEPROOT-E-0114305-07 (Depo Ex. 48)                 |      |      |      |
| 28.     | Email from JP Parker to Spradlin regarding Folio login for Spradlin    | 11/19/2019 | SEC-DEEPROOT-E-0064860 (Depo Ex. 49)                    |      |      |      |
| 29.     | Emails between JP Parker and Spradlin regarding subscriptions          | 12/11/2019 | SEC-DEEPROOT-E-0099771-72 (Depo Ex. 50)                 |      |      |      |
| 30.     | Employee file memo from Mueller regarding Spradlin                     | 05/27/2020 | MUELLER 002974-75 (Depo Ex. 51)                         |      |      |      |
| 31.     | Letter from Spradlin to Mueller  | 06/11/2020 | SEC-SpradlinN-E-0000123 (Depo Ex. 52)                   |      |      |      |
| 32.     | Spradlin resignation letter  | 07/09/2020 | SEC-SpradlinN-E-0000124 (Depo Ex. 53)                   |      |      |      |
| 33.     | Supporting documents for preparing Policy Services' 2014 Tax Return    | 2014       | SEC-AAC-E-0000031-122 (Depo Ex. 57)                     |      |      |      |
| 34.     | 2014 Tax Return for Policy Services                                    | 2014       | SEC-AAC-E-0000144-69 (Depo Ex. 58)                      |      |      |      |
| 35.     | Emails between Mueller and Abramson re 1099s                           | 01/11/2016 | SEC-DEEPROOT-E-0187630-32 (Depo Ex. 59)                 |      |      |      |
| 36.     | Abramson & Wildman engagement letter to Mueller                        | 01/22/2016 | SEC-SEC-E-0002702-05 (Depo Ex. 60)                      |      |      |      |
| 37.     | Emails between Mueller and Abramson re 1099-DIV                        | 04/05/2016 | SEC-DEEPROOT-E-0209999-210003 (Depo Ex. 61)             |      |      |      |
| 38.     | Emails between Mueller and Abramson re 1099-DIV                        | 04/05/2016 | SEC-DEEPROOT-E-210005-10 (Depo Ex. 62)                  |      |      |      |
| 39.     | Abramson & Wildman disengagement letter to Mueller                     | 07/07/2016 | SEC-AAC-E-0000226 (Depo Ex. 63)                         |      |      |      |



| EX. NO. | DESC.  | DATE       | BATES REF.   | AGD. | OBJ. | ADM. |
|---------|--|------------|--|------|------|------|
| 40.     | Email from Abramson to Mueller re 1099-DIV issue                                 | 04/05/2016 | Color version of SEC-DEEPROOT-E-0209999-210003 (Depo Ex. 73) |      |      |      |
| 41.     | Email from Jack Richey to Mueller (cc: Rushforth) attaching presentation         | 06/28/2017 | SEC-DEEPROOT-E-0089679 (Depo Ex. 74)                         |      |      |      |
| 42.     | Ideal Control System and Hardware Proposal presentation                          | 06/23/2017 | SEC-DEEPROOT-E-0089688-706 (Depo Ex. 75)                     |      |      |      |
| 43.     | Talking Points   |            | SEC-DEEPROOT-E-0089680-86 (Depo Ex. 76)                      |      |      |      |
| 44.     | Email from Rushforth to Mueller regarding banana lift and other projects         | 06/30/2021 | SEC-DEEPROOT-E-0089850 (Depo Ex. 77)                         |      |      |      |
| 45.     | Banana lift document   |            | SEC-DEEPROOT-E-0089869-72 (Depo Ex. 78)                      |      |      |      |
| 46.     | Pinball Leveling Documentation   |            | SEC-DEEPROOT-E-0089851-65 (Depo Ex. 79)                      |      |      |      |
| 47.     | Purchase Agreement   | 12/30/2020 | SEC-DEEPROOT-E-00008342-52 (Depo Ex. 80)                     |      |      |      |
| 48.     | Licensing and Marketing Deck 2017  |            | SEC-DEEPROOT-E-00197919-30 (Depo Ex. 81)                     |      |      |      |
| 49.     | Email from Bridget Homan to Rushforth attaching RAZA Preliminary BOM spreadsheet | 05/09/2019 | SEC-DEEPROOT-E-0090862 (Depo Ex. 82)                         |      |      |      |
| 50.     | RAZA Preliminary BOM spreadsheet   |            | SEC-DEEPROOT-E-0090863 (Depo Ex. 83)                         |      |      |      |
| 51.     | Slack messages   | 05/03/2021 | MUELLER 002870 (Depo Ex. 84)                                 |      |      |      |
| 52.     | June 2021 - May 2022 Projected Budget  |            | MUELLER 002864-69 (Depo Ex. 85)                              |      |      |      |
| 53.     | deeproot Tech / deeproot Pinball Disclosure UPDATED                              |            | DEEPROOT FUNDS 005379-83 (Depo Ex. 86)                       |      |      |      |

| EX. NO. | DESC.  | DATE       | BATES REF.                            | AGD. | OBJ. | ADM. |
|---------|--|------------|---------------------------------------|------|------|------|
| 54.     | Mueller's Expert Designations  | 04/06/2023 | (Depo Ex.87 / MSJ Resp. Ex. A-15)     |      |      |      |
| 55.     | Email from Mueller to Concilla (cc: Federico) attaching deeproot-GRD documents                                     | 01/08/2015 | MUELLER 001441-1553 (Depo Ex. 88)     |      |      |      |
| 56.     | Email from Mueller to Concilla (cc: Federico) attaching the 575 documents  | 01/08/2015 | MUELLER 001554-1664 (Depo Ex. 89)     |      |      |      |
| 57.     | Email from Concilla to Mueller re revised dGRD PPM   | 08/12/2015 | MUELLER 002649-67 (Depo Ex. 91)       |      |      |      |
| 58.     | Email from Concilla to Mueller re 575 done   | 09/01/2015 | MUELLER 002813-14 (Depo Ex. 92)       |      |      |      |
| 59.     | Email from Concilla to Mueller re investor presentation  | 09/24/2015 | MUELLER 002853 (Depo Ex. 93)          |      |      |      |
| 60.     | Deeproot investment presentation   |            | MUELLER 002816-51 (Depo Ex. 94)       |      |      |      |
| 61.     | Declaration of Dennis Concilla   |            | MUELLER 002862-63 (Depo Ex. 101)      |      |      |      |
| 62.     | Email from Concilla to Mueller attaching final docs for 5 year fund  | 02/20/2014 | MUELLER-CPM 0000063-88 (Depo Ex. 102) |      |      |      |
| 63.     | Emails between Concilla, Mueller, Russell Hagan, Federico, and Michael Smith regarding Reg D and unqualified funds | 03/18/2014 | MUELLER-CPM 000177-79 (Depo Ex. 103)  |      |      |      |
| 64.     | Email between Mueller and Concilla regarding deeproot 3 Year Trending Tech Debenture Fund, LLC filings             | 03/27/2015 | MUELLER-CPM 001545-46 (Depo Ex. 106)  |      |      |      |
| 65.     | Email from Mueller to Concilla and Federico attaching summary documents for project                                | 04/02/2015 | MUELLER-CPM 001547-61 (Depo Ex. 107)  |      |      |      |
| 66.     | Emails between Mueller, Concilla and Federico re 3-year tech fund  | 04/07/2015 | MUELLER-CPM 001562-63 (Depo Ex. 108)  |      |      |      |

| EX. NO. | DESC.   | DATE       | BATES REF.                                      | AGD. | OBJ. | ADM. |
|---------|---|------------|---|------|------|------|
| 67.     | Email from Mueller to Concilla and Federico regarding first major draft of GRD Term Sheet     | 07/23/2015 | MUELLER-CPM 001706-10 (Depo Ex. 109)            |      |      |      |
| 68.     | Emails between Federico and Concilla attaching latest of S-1                                  | 02/05/2015 | MUELLER-CPM 001428-76 (Depo Ex. 112)            |      |      |      |
| 69.     | Contingent Pledge and Security Agreement between deeproot entities                            | 11/20/2020 | SEC-DEEPROOT-E-00213967-79 (MSJ Resp. Ex. A-13) |      |      |      |
| 70.     | Email from Kristen Warden to Jay Hulings and Jason Davis attaching Expert Report of Bill Post | 03/17/2023 | (MSJ Resp. Ex. A-14)                            |      |      |      |
| 71.     | SEC's Initial Disclosures   | 04/15/2022 | (MSJ Resp. Ex. A-16)                            |      |      |      |
| 72.     | SEC's Amended Initial Disclosures   | 11/14/2022 | (MSJ Resp. Ex. A-17)                            |      |      |      |
| 73.     | Mueller's Response to Plaintiff's First Set of Interrogatories                                | 08/19/2022 | (MSJ Resp. Ex. A-18)                            |      |      |      |
| 74.     | the575 Application and Subscription Agreement for James Donnelly                              | 05/10/2019 | DEEPROOT_FUNDS 001911-18                        |      |      |      |
| 75.     | the575 Application and Subscription Agreement for Robert Kane                                 | 02/12/2017 | DEEPROOT_FUNDS 003189-98                        |      |      |      |
| 76.     | the575 Application and Subscription Agreement for Sandra Thompson                             | 08/30/2016 | MUELLER 002876-84                               |      |      |      |
| 77.     | the575 Application and Subscription Agreement for Sandra Thompson                             | 10/25/2016 | MUELLER 002885-92                               |      |      |      |
| 78.     | FactRight Due Diligence Report for the575   | March 2018 | SEC-FACTRIGHT-E-00000004-30                     |      |      |      |
| 79.     | FactRight Due Diligence Report for the575   | Oct. 2019  | SEC-FACTRIGHT-E-00000163-89                     |      |      |      |
| 80.     | FactRight Due Diligence Report for dGRD   | March 2018 | SEC-FACTRIGHT-E-00000223-50                     |      |      |      |
| 81.     | FactRight Due Diligence Report for dGRD   | Oct. 2019  | SEC-FACTRIGHT-E-00000412-37                     |      |      |      |
| 82.     | Email between Tom Andrew and Robert   | 04/02/2019 | CYCL00006116-17                                 |      |      |      |

| EX. NO. | DESC.   | DATE       | BATES REF.           | AGD. | OBJ. | ADM. |
|---------|---|------------|----------------------|------|------|------|
|         | Mueller regarding sale for value of Basha policy                          |            |                      |      |      |      |
| 83.     | Email between SEC and Davis & Santos refusing to toll filing of Complaint | 08/19/2021 | MUELLER 002860-61    |      |      |      |
| 84.     | Pre-suit interview transcript of Scott Allen                              | 05/24/2021 | --                   |      |      |      |
| 85.     | Pre-suit interview transcript for Andrew Thomas                           | 05/27/2021 | --                   |      |      |      |
| 86.     | Pre-suit interview transcript for Cary Mueller                            | 06/04/2021 | --                   |      |      |      |
| 87.     | Pre-suit interview transcript for Nathan Spradlin                         | 06/09/2021 | --                   |      |      |      |
| 88.     | Pre-suit interview transcript for John Mark Richardson                    | 06/11/2021 | --                   |      |      |      |
| 89.     | Pre-suit interview transcript of Robert Mueller, Vol. 1                   | 06/23/2021 | --                   |      |      |      |
| 90.     | Pre-suit interview transcript of Robert Mueller, Vol. 2                   | 06/24/2021 | --                   |      |      |      |
| 91.     | Declaration of Kenneth Abramson   | 09/07/2022 | SEC-SEC-E-0002717-20 |      |      |      |
| 92.     | Declaration of Gerald R. Wik  | 09/07/2022 | SEC-SEC-E-0002500-53 |      |      |      |
| 93.     | Declaration of George C. Williams   | 09/13/2022 | SEC-SEC-E-0002551-53 |      |      |      |
| 94.     | Declaration of Brad Alan Leon   | 09/14/2022 | SEC-SEC-E-0002517-20 |      |      |      |
| 95.     | Declaration of Sandra Thompson  | 09/15/2022 | SEC-SEC-E-0002508-11 |      |      |      |
| 96.     | Declaration of Robert Kane  | 09/25/2022 | SEC-SEC-E-0002946-49 |      |      |      |
| 97.     | Declaration of John Gray  | 10/09/2022 | SEC-SEC-E-002959-62  |      |      |      |
| 98.     | Declarations of James Donnelly  | 10/18/2022 | SEC-SEC-E-0002984-87 |      |      |      |
| 99.     | Declaration of Phillip Forret   | 11/04/2022 | SEC-SEC-E-0002979-81 |      |      |      |

| EX. NO. | DESC.   | DATE       | BATES REF.        | AGD. | OBJ. | ADM. |
|---------|---|------------|-------------------|------|------|------|
| 100.    | Photos of Facilities and Machines   |            | MUELLER 002893-99 |      |      |      |
| 101.    | Photo Fire Brimstone machine model  |            | MUELLER 002900    |      |      |      |
| 102.    | Photo RAZA machines   |            | MUELLER 002901    |      |      |      |
| 103.    | Video of RAZA walkthrough   |            | MUELLER 002960    |      |      |      |
| 104.    | Video of RAZA prototype gameplay at Houston Arcade Expo   |            | MUELLER 002965    |      |      |      |
| 105.    | Video of Goonie's gameplay sample   |            | MUELLER 002961    |      |      |      |
| 106.    | Video of MachineAge graphics  |            | MUELLER 002962    |      |      |      |
| 107.    | Chris Turner video - Pinside Pinball Mystery Whodunnit!   |            | MUELLER 002963    |      |      |      |
| 108.    | Chris Turner video - Top 5 Questions about Turner Pinball   |            | MUELLER 002964    |      |      |      |
| 109.    | <i>This Week in Pinball</i> Article - FIRST LOOK: deeproot Pinball's Retro Atomic Zombie Adventureland, plus Interviews with John Popadiuk, Steven Bowden, and Robert Mueller | 11/14/2019 | MUELLER 002902-10 |      |      |      |
| 110.    | <i>Pinball Subpernova</i> article – News: Deeproot Finally Unveils Retro Atomic Zombie Adventureland Prototype Pinball  | 11/15/2019 | MUELLER 002966-69 |      |      |      |
| 111.    | <i>Pinball News</i> article: Retro Atomic Zombie Adventureland  | 11/15/2019 | MUELLER 002970-73 |      |      |      |
| 112.    | <i>This Week in Pinball</i> Article - THIS WEEK IN PINBALL: December 23rd, 2019   | 12/23/2019 | MUELLER 002911-22 |      |      |      |

| EX. NO. | DESC.  | DATE       | BATES REF.        | AGD. | OBJ. | ADM. |
|---------|--|------------|-------------------|------|------|------|
| 113.    | <i>This Week in Pinball</i><br>Article - THIS WEEK IN PINBALL: March 16th, 2020  | 03/16/2020 | MUELLER 002923-28 |      |      |      |
| 114.    | <i>This Week in Pinball</i><br>Article - Avengers Reveal Videos, deeproot Announces Launch Date, Raymond Davidson Interview, and the Pinball Pig                       | 09/14/2020 | MUELLER 002929-38 |      |      |      |
| 115.    | <i>This Week in Pinball</i><br>Article - deeproot RAZA Gameplay Reveal, ReplayFX/PAPA/ Pinburgh/WIPT Cancelled Permanently, Star Wars Comic Art, Alien Pinball Teasers | 11/23/2020 | MUELLER 002939-53 |      |      |      |
| 116.    | <i>Express News</i> Article – World ranked pinball wizard is reviving the game   | 09/25/2020 | MUELLER 002954-59 |      |      |      |

Dated: October 6, 2023

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that on October 6, 2023, the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system and all counsel of record will receive an electronic copy via the Court's CM/ECF system.

/s/ Caroline Newman Small

Caroline Newman Small